

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:12-cr-289-MOC**

UNITED STATES OF AMERICA,

vs.

REGINALD ANTHONY HUNTER,

Defendant.

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ORDER

THIS MATTER is before the Court on Defendant's pro se Motion to Amend/Correct Judgment (Doc. No. 76), in which Defendant asks the Court to reduce the amount of restitution he was ordered to pay because a portion of the money Defendant stole during a bank robbery was recovered by law enforcement officers immediately after the robbery was committed.

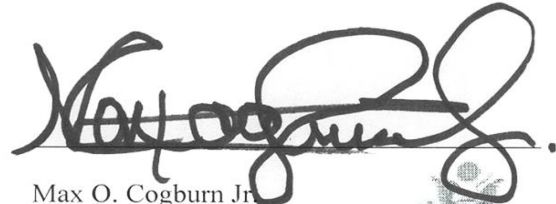
Defendant's motion is denied. First, since the filing of Defendant's motion, the Court has granted the Government's Motion for Turnover of Funds in the amount of \$1,815.00, with an order to remit the funds to the Clerk of Court to be credited toward Defendant's outstanding restitution balance.

In any event, the Court has no authority to modify Defendant's restitution order. Defendant was sentenced to pay criminal restitution pursuant to the Mandatory Victim Restitution Act ("MVRA"), 18 U.S.C. § 3663A. The MVRA requires that restitution be ordered "in the full amount of each victim's losses," 18 U.S.C. § 3664(f)(1)(A), and provides for crediting in the event that funds are recovered from other sources, such as a civil settlement, 18 U.S.C. § 3664(j). The MVRA permits modification of final restitution orders under only four circumstances, none of which apply here.

ORDER

For the reasons stated herein, Defendant's Motion to Amend/Correct Judgment (Doc. No. 76), is **DENIED**.

Signed: December 9, 2021



Max O. Cogburn Jr.
United States District Judge